

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.
NO. 05-10088-WGY

JULIANNE MARIE EVANS
Plaintiff,

VS.

NANTUCKET COMMUNITY SAILING, INC.
Defendant.

DEFENDANT'S SCHEDULING STATEMENT

Now comes the defendant, Nantucket Community Sailing, Inc., in the above captioned action, by and through its undersigned counsel, after conferring with Steven D. Miller, Esquire, pursuant to Local Rule 16.1(B) of the United States District Court District of Massachusetts, hereby files the Defendant's Scheduling Statement.

The defendant submits that the parties have not been able to agree on a Joint Scheduling Statement and therefore the defendant is filing its proposed Statement for this Court's review.

I. DISCOVERY

The defendant proposes the following discovery plan:

- A. All discovery and factual depositions to be completed by **September 30, 2005**.
- B. Plaintiff's designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure served on or before **October 31, 2005**.
- C. Defendant's designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure served on or before **November 30, 2005**.
- D. All expert depositions to be completed by **January 31, 2006**.
- E. Final Pretrial Conference to be scheduled after **February 1, 2006**.

II. MOTION SCHEDULE

In addition to the above, the defendant proposes the following motion schedule.

- A. Motions to amend the pleadings, to add parties or to set forth additional claims to be filed on or before **April 29, 2005**.
- B. Dispositive Motions to be filed by **January 31, 2006** with Oppositions filed within twenty-one (21) days as set forth in the Local Rules of this Court.

III. CERTIFICATION

Defense counsel reports that he has conferred with his client pursuant to Local Rule 16.1(D)(3) and will independently file the defendant's Certificates of Compliance.

IV. TRIAL BY MAGISTRATE JUDGE

The defendant consents to trial by Magistrate Judge Bowler.

V. **SETTLEMENT**

The plaintiff has tendered a written settlement demand to the defendant.

WHEREFORE, the defendant prays that this Honorable Court approve the above proposed schedule.

Respectfully Submitted,
DEFENDANT
CLINTON & MUZYKA, P.C.,

"/s/ Thomas J. Muzyka"
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Dated: February 28, 2005